Atty. Dkt. No. 036481-0135

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Joel R. HAYNES et al.

Title:

ADJUVANTED GENETIC

**VACCINES** 

Appl. No.:

09/433,777

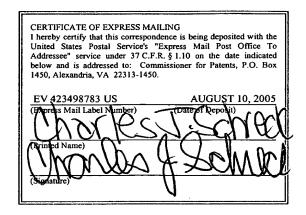
Filing Date: November 3, 1999

Examiner:

A. M. S. Wehbe

Art Unit:

1632



## PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181(b)

Mail Stop PETITION Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

This Petition is in reply to the Notice of Abandonment mailed January 25, 2005. Applicants hereby petition for withdrawal of the holding of abandonment.

Applicants filed a change of correspondence address with the Patent Office on July 1, 2004, which was duly date-stamped as received on that date by the Office. See the appended photocopies of the date-stamped postcard and Correspondence Address Change notification (see Appendices A and B). Unfortunately, the Office Action dated July 13, 2004, still was mailed to the prior address of record, namely to Alisa Harbin at Chiron Corporation, Emeryville, California (see Appendix C, a copy of the cover page to the Office Action).

The undersigned, therefore, never received a copy of the Office Action and, consequently, was not able to file a response to the Office Action prior to the end of the third extension, January 13, 2005.

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Application No. 09/433,777 Atty. Dkt. No. 036481-0135

In view of the foregoing, Applicants request that the Patent Office withdraw the holding of abandonment of this application and return the application to pending status.

A check in the amount of \$1,500.00 is enclosed for the amount stated in 37 C.F.R. § 1.17(m) to cover the fee for this petition.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Applicants also would like to point out that the Attorney Docket Number reference for this application has changed, from "APF-18.20" to "036481/0135." The Examiner is invited to contact the undersigned by phone to expedite this process.

Respectfully submitted,

Date

August 10, 2005

**FOLEY & LARDNER LLP** 

Customer Number: 22428

Telephone:

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(202) 672-5399

Bv

#55,459 V.MOHAN-RA

Richard C. Peet

Attorney for Applicant Registration No. 35,792



## HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

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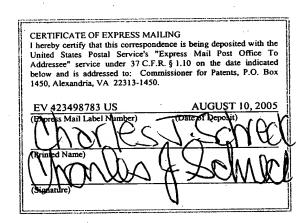
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Respectfully submitted,

Date

August 10, 2005

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Title: ADJUVANTED GENETIC VACCINES Inventors: Joel R. HAYNES et al. Appl. No.: 09/433,777

Dkt. No. 036481-0135 JAMS/VSM/daf

Correspondence Address change (1 pg.)

Date Filed: July 1, 2004

Respectfully, Foley & Lardner LLP



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Joel R. HAYNES et al

Title:

ADJUVANTS GENETIC VACCINES

Appl. No.:

09/433,777

Filing Date:

11/03/1999

Examiner:

Anne WEHBE

Art Unit:

1632

#### **CHANGE OF CORRESPONDENCE ADDRESS**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant's attorney respectfully requests that the records of the United States Patent and Trademark Office in connection with the above-identified application be changed to show the following customer number for all future communications.

Customer Number: 22428

Thus, please address all correspondence in this application to:
Richard C. Peet
Foley & Lardner LLP
3000 K Street N.W., Suite 500
Washington, D.C. 20007

Respectfully submitted,

Date

1 304

2004

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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE 11/03/1999		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/433,777			JOEL R. HAYNES	APF-18.20	2990
	7590	07/13/2004		EXAMINER	
ALISA A. HARBIN				WEHBE, ANNE MARIE SABRINA	
CHIRON CORPORATION 4560 HIRTON STREET, M/S R-38			•	ART UNIT	PAPER NUMBER
4500 MIKTON STREET, M/S R-50				1632	

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.